

THE HONORABLE FRANK D. BURGESS

08-CR-05743-STIP

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JEFFREY D. MILES, in his capacity as
Personal Representative of the Estate of
Kimberly L. Miles and as legal guardian of
Brittany L. Miles, a minor, and Joshua T.
Miles, a minor,

Plaintiff,

v.

SHANGHAI ZHENHUA PORT
MACHINERY CO., LTD., a Chinese
corporation, ABB LTD, a Swiss corporation,
EVERGREEN MARINE CORP., LTD., a
Taiwanese corporation, HEMLOCK
EQUIPMENT, LLC, a Delaware limited
liability company, and ISLAND
EQUIPMENT, LLC, a Delaware limited
liability company,

Defendants.

No. 08-CV-5743 FDB

**STIPULATION AND PROPOSED
ORDER OF DISMISSAL WITHOUT
PREJUDICE OF HEMLOCK
EQUIPMENT, LLC**

COME NOW plaintiff, by and through his attorneys of record at Rafel Law Group and
defendant Hemlock Equipment, LLC, a Delaware limited liability company, by and through
its attorneys of record at Lane Powell PC and do agree and stipulate that Hemlock Equipment,
LLC shall be dismissed from the above-styled and numbered cause without prejudice and that
each party shall bear its own costs and fees.

STIPULATION AND PROPOSED ORDER FOR
DISMISSAL - 1

052761.0001/1688642.1

LANE POWELL PC
1420 FIFTH AVENUE, SUITE 4100
SEATTLE, WASHINGTON 98101-2338
206.223.7000 FAX: 206.223.7107

1 SO AGREED AND STIPULATED on this 18th day of March, 2009.

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3 RAFEL LAW GROUP, PLLC

4 By: David C. Martin
5 Anthony L. Rafel, WSBA No. 13194
6 David C. Martin, WSBA No. 38325
7 Attorneys for Plaintiff Jeffrey D. Miles in his
8 capacity as personal representative of the Estate
9 of Kimberly L. Miles and as legal guardian
10 Brittany L. Miles, a minor and Joshua T. Miles, a
11 minor

12 LANE POWELL PC

13 By: Katie Smith Matison
14 Katie Smith Matison, WSBA No. 20737
15 Attorneys for Defendant Hemlock Equipment,
16 LLC

17 **~~PROPOSED~~ ORDER**

18 THIS DAY THIS CAUSE CAME ONTO BE HEARD by the Stipulation of the
19 plaintiff Jeffrey D. Miles in his capacity as the personal representative of the Estate of
20 Kimberly L. Miles and as legal guardian of Brittany L. Miles, a minor and Joshua T. Miles, a
21 minor by and through attorneys of record Rafel Law Group and Island Equipment, LLC by
22 and through its attorneys of record Lane Powell PC agreeing to dismiss defendant Hemlock
23 Equipment, LLC, a Delaware limited liability company without prejudice in the above-styled
24 and numbered cause.

25 IT IS THEREFORE ORDERED AND ADJUDGED consistent with the stipulation of
26 the parties, that Hemlock Equipment, LLC is hereby dismissed without prejudice and that
each party shall bear its own attorney's fees and costs.

STIPULATION AND PROPOSED ORDER FOR
DISMISSAL - 2

052761.0001/1688642.1

LANE POWELL PC
1420 FIFTH AVENUE, SUITE 4100
SEATTLE, WASHINGTON 98101-2338
206.223.7000 FAX: 206.223.7107

1 SO ORDERED AND ADJUDGED on this 19th day of March, 2009.

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3 
UNITED STATES DISTRICT COURT JUDGE

4 PRESENTED BY:

5 RAFEL LAW GROUP, PLLC

6
7 By: 

8 Anthony L. Rafel, WSBA No. 13194

9 David C. Martin, WSBA No. 38325

10 Attorneys for Plaintiff Jeffrey D. Miles in his
11 capacity as personal representative of the
12 Estate of Kimberly L. Miles and as legal
13 guardian Brittany L. Miles, a minor and
14 Joshua T. Miles, a minor

15 LANE POWELL PC

16
17 By: 

18 Katie Smith Matison, WSBA No. 20737

19 Attorneys for Defendant Hemlock
20 Equipment, LLC
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STIPULATION AND PROPOSED ORDER FOR
DISMISSAL - 3

052761.0001/1688642.1

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